

UNITED STATES DISTRICT COURT  
for  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

**FILED**

*Oct - 4 2010*

DENNIS P. IAVARONE, CLERK  
US DISTRICT COURT, EDNC  
BY AK DEP CLK

U.S.A. vs. Kenneth William Bordeaux

Docket No. 5:01-CR-50-1BO

**Petition for Action on Supervised Release**

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kenneth William Bordeaux, who, upon an earlier plea of guilty to Count 1- Armed Bank Robbery, in violation of 18 U.S.C. § 2113(a)(d) and Count 2- Carrying and Brandishing a Firearm During a Crime of Violence and Aiding and Abetting, in violation of 18 U.S.C. §§ 924(c)(1)(A) and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 2, 2001, to the custody of the Bureau of Prisons for a term of 51 months in Count 1 and 84 months in Count 2 to run concurrently with Count 1. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for five years under the standard conditions adopted by the court and the following additional condition:

The defendant shall make restitution in the amount of \$31,069.81 jointly and severally with defendants in Case # 5:01-CR-78-BO as directed to Pine Level Bank and Progressive Insurance Company.

Additionally, the defendant was ordered to pay a \$200 special assessment. The special assessment and restitution were ordered to be paid immediately. If not paid in full immediately, the defendant was ordered to make payments at a rate of \$50 per month during the period of probation. The court instructed the probation officer to take into consideration the defendant's ability to pay the restitution ordered and notify the court of any needed modification of the payment schedule. Kenneth William Bordeaux was released from custody on June 6, 2007, at which time the term of supervised release commenced.

On December 18, 2007, the court modified the conditions of release and ordered the defendant to pay monthly restitution payments in the amount of \$100. On July 28, 2008, as a result of the defendant committing the offenses of Driving While License Revoked and Operate a Vehicle With No Insurance on July 4, 2008, supervision was modified to include the following additional condition:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of two days, commencing as soon as can be arranged by his probation officer and shall abide by all rules and regulations of the designated facility.

On October 8, 2008, as a result of the defendant committing the offense of Driving While License Revoked on August 30, 2008, supervision was again modified to include the following additional conditions:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of five days, commencing as soon as can be arranged by his probation officer and shall abide by all rules and regulations of the designated facility.

Furthermore, the defendant's monthly restitution payment was decreased to \$50 per month.

On July 14, 2009, as a result of the defendant committing the offense of Driving While License Revoked and Window Tinting Violation on July 6, 2009, supervision was again modified to include the following additional condition:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of ten days, commencing as soon as can be arranged by his probation officer and shall abide by all rules and regulations of the designated facility.

On February 18, 2010, as a result of the defendant committing the offense of Driving While License Revoked and Failure to Reduce Speed on February 7, 2010, supervision was again modified to include the following additional condition:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed six consecutive months. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.
2. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE  
AS FOLLOWS:**

During the term of supervision the defendant has been unable to maintain stable employment. In an effort to assist the defendant with job skills and employment, we would respectfully recommend that his probation be modified to include the following additional conditions. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a vocational training program as directed by the probation office.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
3. The defendant shall participate in an educational services program as directed by the probation officer. Such program may include GED preparation, English as a Second Language classes, and other classes designed to improve the defendant's proficiency in skills such as reading, writing, mathematics, or computer use.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/Robert K. Britt

Robert K. Britt

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/Keith W. Lawrence

Keith W. Lawrence

U.S. Probation Officer

310 Dick Street

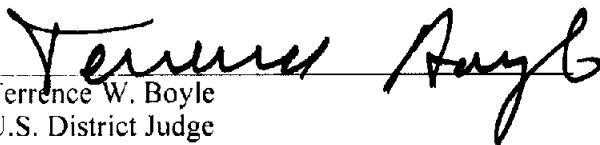
Fayetteville, NC 28301-5730

Phone: (910) 483-8613

Executed On: September 29, 2010

**ORDER OF COURT**

Considered and ordered this 1 day of October, 2010, and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge